

Central Intelligence Agency



Washington, D.C. 20505

DD/A Registry
88-2444X

21 NOV 1988

Mr. Michael J. O'Neil
Chief Counsel
House Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

Dear Mr. O'Neil:

On 7 November 1988 our General Counsel, Mr. Russell Bruemmer, accepted an invitation from you to meet with representatives of your staff and certain former spouses of Agency employees and retirees to discuss issues of concern to the former spouses. Mr. Bruemmer has raised these issues with the Office of Personnel and myself and I thought it appropriate to give you some feedback on our current activity regarding former spouses. Although we have taken some positive steps to ensure that spouses and former spouses are aware of benefits and entitlements, it is obvious from these discussions that more needs to be done.

First, I want to assure you that the Agency does very much care about the former spouses of our Agency employees. They have made significant contributions in support of our mission and we do not take lightly their concerns. It does appear, however, that we need to provide more opportunity for communication between this group and the Agency.

In Mr. Bruemmer's discussion with the former spouses, several issues and concerns were raised involving communications with current spouses of Agency employees. [redacted] a retired Agency employee and a former spouse, prepared at our request an extensive report to identify proposals for improving this relationship. Subsequently, we convened a working group which included working spouses who reviewed these recommendations and we believe them to be well founded. As a result, we are in the process of setting up a spousal advisory board, as recommended by [redacted]. This board will be comprised of non-Agency employed spouses including representation of former spouses. This board will provide a vehicle for direct communication with the Agency. From time to time I envision meeting with this board to address specific issues they wish to bring to my attention. Also, our Family Employee Liaison Office will be participating in this process to provide broader information and better interaction with spouses. This was also a suggestion from [redacted] report. The report contained a recommendation that we correspond directly with all Agency spouses overseas to provide official information and a direct link to the Agency. Cover and security concerns associated with this Agency preclude such action. There are other approaches, however, we are considering which include:

STAT

STAT

STAT

Mr. Michael J. O'Neil

a) formal notification to spouses of entitlements when an Agency employee is designated into CIARDS or the corresponding special provisions of the Federal Employees Retirement System. We envision there being a requirement for a spouse's notarized acknowledgment of this notification (when cover and security permit); otherwise, the signature of a witness will be required.

b) special handouts detailing entitlements which can be made readily available to spouses and lawyers.

c) periodic notices to all current spouses detailing retirement entitlements with due consideration to cover and security concerns of the Agency.

d) advertisements in the news media and legal trade journals regarding existing legislation and deadlines associated with making application for benefits under existing legislation. This includes utilizing such publications as the Wall Street Journal, Washington Post, New York Times, USA Today, National Association of Retired Federal Employees (NARFE) newsletter, the Central Intelligence Agency Retiree Association (CIRA) newsletter, the Legal Times, the American Bar Association Journal and local bar association journals.

Additionally, I have been advised by Mr. Bruemmer that the Office of General Counsel is in the process of drafting guidelines to explain Agency-administered former spouse entitlements. These guidelines are intended for publication in the Federal Register, and possibly appropriate legal journals. They will be similar to those issued by the Office of Personnel Management as Appendix A to Subpart Q of Part 831 of Title 5 of the Code of Federal Regulations, Guidelines for Interpreting State Court Orders Dividing Civil Service Retirement Benefits. The Office of General Counsel is also exploring the possibility of writing articles on this topic that could be carried in an array of publications, including periodicals targeted at senior citizens and retirees and those likely to be read by lawyers who handle divorce cases.

There was also some concern expressed that the Agency is seeking to undo current legislation and return all former spouse issues to court deliberations. This is not an issue we seek to propose. Our view is that the existing legislation was enacted to overcome shortcomings in court-ordered settlements and this requirement remains valid today.

Mr. Michael J. O'Neil

Again, this Agency takes very seriously the concerns of both the present and former spouses of its employees. We will continue to seek ways to foster better communications with these individuals and see if we can make improvements in the system that we have outlined. We support efforts to ensure that former spouses receive benefits to which they are entitled and we will make recommendations for further improvements in future legislation. We believe that the concerns of our spouses are imperative and will see that better communication with these individuals is fostered. To this end please be assured that the Director of Personnel and I will be actively pursuing these efforts. We will keep you posted on our progress on this issue including any briefings you may desire.

A copy of this letter has been provided to Mr. Charles Battaglia, who also attended the meeting.

STAT

R. M. Huffstutler
Deputy Director for Administration

DD/EBS, (17 Nov 88)

STAT

Distribution:

Orig - Addressee

- 1 - OGC
- 1 - OCA
- 2 - DDA
- 1 - D/Pers
- 1 - DD/EBS
- 1 - C/RD